

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

IN RE: NATIONAL HOCKEY LEAGUE )	No. 0:14-md-02551 (SRN/JSM)
PLAYERS' CONCUSSION INJURY )	
LITIGATION )	
_____ )	<b>PLAINTIFFS' MOTION FOR CLASS</b>
This Document Relates To: )	<b>CERTIFICATION AND FOR</b>
_____ )	<b>APPOINTMENT OF CLASS</b>
ALL ACTIONS. )	<b>REPRESENTATIVES AND CLASS</b>
_____ )	<b>COUNSEL</b>

Pursuant to Rule 23 of the Federal Rules of Civil Procedure, Plaintiffs, by their counsel, hereby move this Court for entry of an Order as follows:

1) Plaintiffs Dave Christian ("Christian") and Reed Larson ("Larson") move the Court to certify their claims as a class action pursuant to Federal Rule of Civil Procedure 23(b)(2), based on their choice-of-law theory of legal commonality for medical monitoring relief on behalf of themselves and the class, and to appoint Christian and Larson as Class Representatives of all class members;

2) ***In the alternative***, if Christian and Larson's motion is not granted, Plaintiffs Christian, Larson, Dan LaCouture ("LaCouture"), and Bernie Nicholls ("Nicholls"), move the Court to certify their claims as a class action pursuant to Federal Rule of Civil Procedure 23(b)(2), based on their grouping theory of legal commonality for medical monitoring relief on behalf of themselves and the class, and to appoint Christian, Larson, LaCouture, and Nicholls, as Class Representatives of all class members;

3) Separately, in addition to, and ***not*** in the alternative to Christian and Larson's motion, Plaintiffs Gary Leeman ("Leeman"), and George M. Bradley, as the Personal Representative of the Estate of Lawrence Zeidel ("Zeidel"), move the Court to certify their

claims as a class action pursuant to Federal Rule of Civil Procedure 23(c)(4) as to certain issues, and to appoint Leeman and Zeidel as Class Representatives;

All putative class representatives seek the appointment of Plaintiffs' Co-Lead Counsel, Zimmerman Reed, LLP, Robbins Geller Rudman & Dowd LLP, and Silverman Thompson Slutkin White LLC, as Co-Class Counsel for the Classes pursuant to Fed. R. Civ. P. 23(g), and seek such other and further relief as the Court deems just and proper.

These requests are based on the record in this case as well as: (1) Plaintiffs' Memorandum of Law in Support of Plaintiffs' Motion for Class Certification and for Appointment of Class Representatives and Class Counsel; (2) the Declaration of Charles S. Zimmerman in Support of Plaintiffs' Motion for Class Certification and for Appointment of Class Representatives and Class Counsel and attached exhibits; (3) the Declaration of R. Dawn Comstock, Ph.D; (4) the Declaration of D'Arcy Jenish; (5) the Declaration of Stephen T. Casper, Ph.D; (6) the Declaration of Thomas Blaine Hoshizaki, Ph.D; (7) the Declaration of Robert C. Cantu, M.A., M.D., FACS, FAANS, FICS, FACSM; and (8) the [Proposed] Order Granting Plaintiffs' Motion for Class Certification and for Appointment of Class Representatives and Class Counsel that are served and filed herewith, as well as any additional materials or argument that may be presented to the Court.

DATED: December 8, 2016

s/ Charles S. Zimmerman

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